

To: Michael Harris[Harris.Michael@epa.gov]
From: Kaplan, Robert
Sent: Mon 7/31/2017 7:38:52 PM
Subject: FW: Haskell Lake/Tower Standard cleanup

Mike, can you please pull Anthony into your discussions? Thanks. - Bob

Robert Kaplan

Acting Regional Administrator

EPA Region 5 – Chicago

Cell: 312-515-9827

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From: Greenwater, Anthony
Sent: Monday, July 31, 2017 1:33 PM
To: Kaplan, Robert <kaplan.robert@epa.gov>
Cc: Lowery, Brigid <Lowery.Brigid@epa.gov>; Harris, Michael <harris.michael@epa.gov>; Hoskinson, Carolyn <Hoskinson.Carolyn@epa.gov>; Newton, Cheryl <Newton.Cheryl@epa.gov>; Nelson, Leverett <nelson.leverett@epa.gov>; Williams, Felicia <Williams.Felicia@epa.gov>; Arrazola, Ignacio <arrazola.ignacio@epa.gov>
Subject: Re: Haskell Lake/Tower Standard cleanup

Thanks, Bob. I can be available any time this week. The next tech call is Friday morning 8-9. Soon after that I need to be on the road to my son's wedding, but can call in.

Vr,

Anthony Greenwater, Director

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On Jul 28, 2017, at 12:40, Kaplan, Robert <kaplan.robert@epa.gov> wrote:

Brigid, Anthony,

Please see my response to President Wildcat below. Thanks for your help in getting me up to speed.

We need a meeting next week to sort through the issues and identify options. If technically feasible, I would like to accommodate the Tribe's preferred approach to the extent possible. This might mean a sort of hybrid option that overlays WDNR funding with EPA funding (if available). At the meeting, we should be prepared to consider such a hybrid.

I'd like to put this matter on a solid path forward. The negotiations are likely headed in a direction that will be controversial in terms of jurisdiction/authority and may damage relationships – and will continue to consume staff and managerial time we can't afford at this point.

I know we are all trying as hard as we can to come up with solutions. This is not easy. Thanks for the work you have already put in, and thanks for the continued search for a creative solution. I'm copying Felicia to set up the meeting.

- Bob

Robert Kaplan

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From: Kaplan, Robert

Sent: Friday, July 28, 2017 12:12 PM

To: 'blabarge@ldftribe.com' <blabarge@ldftribe.com>

Cc: Williams, Felicia <Williams.Felicia@epa.gov>

Subject: Haskell Lake/Tower Standard cleanup

Dear President Wildcat:

I look forward to talking to you at your earliest convenience. I called your office on July 25, 2017 after hearing that the Tribe has decided not to continue participating in technical discussions on the Haskell Lake remediation. My office received a note from Beverly LaBarge, Executive Administrative Assistant, indicating that you were out of the office.

The purpose of the call was to hear your concerns about the facilitated process. Last December, you and I spoke about the cleanup project. We directed our staffs to work together to find workable solutions. Since then, you and I have spoken several times to monitor progress, and our staffs have held more than a dozen technical teleconferences. EPA added a facilitator to the effort to ensure the focus remained on the issues, and sent personnel in January for extensive in-person discussions to ensure progress was being made. The team has recently expanded their efforts to again include staff from the Wisconsin Department of Natural Resources (WDNR). This is a significant opportunity to accelerate cleanup by coordinating with WDNR's Petroleum Environmental Cleanup Fund Award (PECFA) program. Time is short, however, with actions requiring years of lead time necessary before the closeout of the PECFA program in June 2020.

The note I received from Ms. LaBarge made some statements that were of concern to me. I do not know of any EPA commitments that have been "retracted." I also would like to hear from you about how the discussions have "failed." That characterization does not seem to match up with the progress reports I have received from staff.

Given the importance of the resource, and the short time available, I thought it best to hear any concerns you might have immediately – with in-person follow up as soon as our schedules permit. I believe hearing from you directly would be helpful.

I am available to talk on the phone at your convenience. After we speak, we can decide how best to proceed. I am hopeful we can solve any pending issues, as we have in the past. I will be attending the Regional Tribal Operations Committee meeting in August. I would welcome the opportunity to meet with you separately if you are planning on attending that event.

I look forward to our discussions.

With best regards,

- Bob

Robert Kaplan

Acting Regional Administrator

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